

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

THOMAS COMBS,

Petitioner,

Case No. 1:06-cv-476

-vs-

District Judge Susan J. Dlott
Chief Magistrate Judge Michael R. Merz

WARDEN, CHILLICOTHE
CORRECTIONAL INSTITUTION,

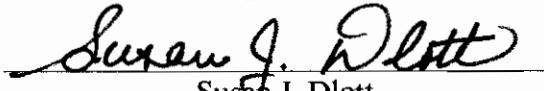
Respondent.

ORDER ADOPTING SUPPLEMENTAL REPORT AND RECOMMENDATIONS

The Court has reviewed the Supplemental Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. No. 21), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on January 2, 2008, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that the Petition be dismissed with prejudice and that Petitioner be denied leave to appeal *in forma pauperis* and any requested certificate of appealability.

January 10, 2008.



Susan J. Dlott
United States District Judge